

REMARKS

Claims 3-4 were pending in this matter. Claims 1-2 have been cancelled.

Claim 3 and 4 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In support of this assertion, the Examiner states that "[i]n claim 3, last few lines how can a range of 10 degrees to 90 degrees always result in the grooves extending substantially radially to the bars?" The Applicant respectfully notes claim 3 requires that "said second grooves extend substantially radially with respect to said refining surfaces" and not bars as stated by the Examiner. Figure 3 of the patent application clearly shows that these claimed conditions are satisfied. Claim 4 depends from claim 3 and is not indefinite for same reasons as claim 3. Therefore, the Applicant respectfully urges that the rejection of claim 3 and 4 under 35 U.S.C. § 112, second paragraph, must be withdrawn.

Claims 3 and 4 are also rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 2,035,994 (the '994 Patent) in view of U.S. Patent No. 4,090,672 (the '672 Patent). To make obvious, the references must teach, disclose or suggest all elements of a claim. Claim 3, in part, recites "refining element including a refining surface having a pattern of bars and a plurality of intermediate first grooves having a first width between said plurality of bars, said bars including a pair of side surfaces and an upper surface and extending in an arcuate shape longitudinally outwardly over said refining surface, said upper surface of said bars including a plurality of second grooves having a second width, said first width being greater than said second width, said plurality of second grooves forming a predetermined angle of from 10° to 90° with respect to

said longitudinal direction of said bars, whereby said second grooves extend substantially radially with respect to said refining surface." Emphasis added. The '994 patent may be considered as disclosing less wide grooves 95 and wider grooves 71b. However, the shallower grooves 95 are still in the same direction as the deeper grooves 71b. Thus, the '994 Patent does not disclose distinct bars, and all the grooves are located on same ground surface (or ground level). Therefore, the '994 Patent does not teach, disclose or suggest "a refining surface having a pattern of bars and a plurality of intermediate first grooves." Even if the '994 patent were construed to disclose (and we do not concede that it does) a refining surface having a pattern of bars and a plurality of intermediate first grooves, the second grooves of the '994 Patent are not angled in relation to the longitudinal direction of the bars as required by claim 3.

The '672 Patent discloses arc-shaped grooves and thus the areas in between the grooves also get an arcuate shape. However, these in-between areas are not wide bars as defined in claim 3. On the other hand, the Applicant teaches the idea of adding small second grooves on the upper surface that enables the bars as well as the intermediate first grooves to be wide, since the small grooves on the upper surface adds a defibering effect. This design eliminates the need for a tight pattern between the bars and intermediate first grooves in order to achieve the effective working of fiber material. The design of the bars and intermediate first grooves can thus be optimized for letting out steam and fiber flow, while the pattern of the second grooves on top of the bars imply an efficient working of the fiber material. Any teaching, disclosure or suggestion akin to the Applicants idea is absent in the '672 patent. The '672 Patent fails to teach a pattern between the bars and intermediate first grooves that is optimized for letting out

steam and fiber flow. Additionally, the '672 Patent does not teach disclose or suggest second grooves that are angled in relation to the longitudinal direction of the bars. Therefore, the '672 Patent fails to overcome the deficiency of the '994 patent. Therefore Claim 3 is not obvious over the '994 Patent in view of the '672 Patent. Claim 4 depends from claim 3 and is not obvious at least for the same reasons as claim 3.

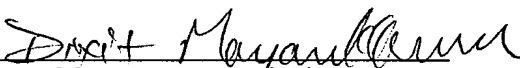
As it is believed that the rejections set forth in the Official Action has been fully met, favorable reconsideration and allowance of claims 3-4 is earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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